

or substances contained therein as a treatment for gonorrhœa, gleet, and genito-urinary disorders, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7402. Misbranding of Santal-Midy. U. S. * * * v. 12 Dozen Bottles of Santal-Midy. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10519. I. S. No. 2178-r. S. No. W-413.)

On June 9, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Santal-Midy, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about March 22, 1919, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle label) "Santal-Midy." (Circular attached to bottle) "Santal-Midy * * * Essential oil of sandalwood * * * prepared by Midys Process * * * in the treatment of gonorrhœa, gleet, and discharges from the urinary organs * * *."

Analysis of a sample made in the Bureau of Chemistry of this department showed that the article consisted essentially of oil of sandalwood.

It was alleged in substance in the libel that the article was misbranded contrary to the provisions of paragraph 3, relating to drugs, section 8 of the act, in that certain therapeutic effects were claimed and stated in substance on the bottle and package for the treatment of gonorrhœa, gleet, discharges from the urinary organs, inflammation of the bladder, suppurative nephritis, and certain other diseases.

On December 3, 1919, the said E. Fougere & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7403. Misbranding of Mendenhall's No. 40. U. S. * * * v. 3 Dozen Bottles of Mendenhall's No. 40. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10553. I. S. No. 15008-r. S. No. E-1375.)

On June 11, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Mendenhall's No. 40, consigned by the J. C. Mendenhall Medicine Co., Evansville, Ind., remaining unsold in the original unbroken packages at Reading, Pa., alleging that the article had been shipped

on or about November 4, 1918, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Mendenhall's Number 40 for the Blood * * * Anti-Rheumatic, Anti-Syphilitic * * *. Is employed in Chronic Rheumatism and Catarrh, * * * Malaria, Biliousness, Jaundice, and Diseases of the Liver, Kidneys and Spleen. In Mercurial, Lead and Zinc Poisoning. * * * You should not stop taking the medicine because benefited, but continue until entirely cured. Blood diseases are deep seated and require time to eradicate from the system. Some diseases can be cured with from one to three bottles while in other cases the medicine should be continued from twelve to eighteen months. * * * We have known persons who have suffered for years with Lupus, Scrofula, Chronic Blood Poison, Rheumatism and various Blood Diseases to be fully restored to health by taking this treatment. * * * Is employed in diseases of the glandular system, Blood Poison, Scrofula, Sores, Ulcers, Abscesses, Mucous Patches, Copper Colored Spots, Lupus, Tetters, Salt Rheum, Eczema, and Scaly Skin Diseases." (Bottle label) "Mendenhall's No. 40 for the blood. * * * Rheumatism, Scrofula, Syphilis, Catarrh, and All Diseases of the Blood." (Circular) "Mendenhall's No. 40 for the Blood Employed in Syphilis, Chronic Rheumatism, Scrofula, and all diseases of the glandular system such as Tumors, Nodes, Goitre, Lupus, and Buboës. Scaly Skin Disease, Mucous Patches, Indolent Ulcers, Cankerous and Scrofulous Sores, Pimples, Chancroid, Boils and Carbuncles. Eczema, Psoriasis, Salt Rheum, Tetters, etc. - * * * It is also of benefit in sciatic lumbago, rheumatic neuralgia * * * chronic pleurisy, pericarditis, and hydrocephalus * * *. In aneurisms, particularly that of the aorta, it does good. * * * Should be employed in asthma * * *. Is of advantage in abdominal dropsy * * * and in hardening and enlargements of the liver and spleen. Is of great value in chronic constipation, torpid liver, biliousness, jaundice, malaria, malaria poison, etc. * * * Should be employed in leucorrhœa or whites and in gonorrhœa and gleet in the advanced stages. * * * In Syphilis, Scrofula and to remove unnatural growth it may be necessary to continue the treatment from twelve to eighteen months or six months after all external symptoms have disappeared. * * * Special Advice in the Treatment of Syphilis. If Buboës form take the remedy in such doses as to move the bowels three or four times daily * * *. If pimples break out on the face or any part of the body, this is a sign that the medicine is driving the poison out of the system. Continue the use of No. 40 and all external symptoms will entirely disappear."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, a laxative drug, unidentified plant material, sugar, glycerin, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the label and circular accompanying the article contained statements, designs, and devices, regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein as above set forth, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*